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Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. YOR920030486US1 (8728-660)

First Inventor Juan M. Huerta

Title Systems and Methods for Generating Applications...

Express Mail Label No. EV413369461US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 47]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. PTO/SB/17
17. ☒ Other: Associate Power of Attorney

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_/\_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No., or Attach bar code label here)

or ☒ Correspondence address below

Name Frank Chau

F. CHAU & ASSOCIATES, LLP

Address 1900 Hempstead Turnpike, Suite 501

City East Meadow

State New York

Zip Code 11554

Country U.S.A

Telephone (516) 357-0091

Fax (516) 357-0092

Name (Print/Type) Frank V. DeRosa

Registration No. (Attorney/Agent) 43,584

Signature

Date Dec. 12, 2003

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 1,216.00**Complete if Known**

|                      |                            |
|----------------------|----------------------------|
| Application Number   |                            |
| Filing Date          |                            |
| First Named Inventor | Juan M. Huerta             |
| Examiner Name        |                            |
| Art Unit             |                            |
| Attorney Docket No.  | YOR920030486US1 (8728-660) |

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

50-0510/IBM

IBM (Yorktown Heights)

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description        | Fee Paid            |
|-------------------------------|-------------------------------|------------------------|---------------------|
| 1001 770                      | 2001 385                      | Utility filing fee     | 770.00              |
| 1002 340                      | 2002 170                      | Design filing fee      |                     |
| 1003 530                      | 2003 265                      | Plant filing fee       |                     |
| 1004 770                      | 2004 385                      | Reissue filing fee     |                     |
| 1005 160                      | 2005 80                       | Provisional filing fee |                     |
| <b>SUBTOTAL (1)</b>           |                               |                        | <b>(\$ ) 770.00</b> |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 40                 | -20** = 20   | 18             | 360      |
| Independent Claims | 4            | -3** = 1       | 86       |
| Multiple Dependent |              | 290            | 0        |

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description  |
|-------------------------------|-------------------------------|--|
| 1202 18                       | 2202 9                        | Claims in excess of 20                                     |
| 1201 86                       | 2201 43                       | Independent claims in excess of 3                          |
| 1203 290                      | 2203 145                      | Multiple dependent claim, if not paid                      |
| 1204 86                       | 2204 43                       | ** Reissue independent claims over original patent         |
| 1205 18                       | 2205 9                        | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$ ) 446.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

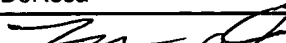
| Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130      | 2051 65       | Surcharge - late filing fee or oath  |          |
| 1052 50       | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130      | 1053 130      | Non-English specification  |          |
| 1812 2,520    | 1812 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 920*     | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*   | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110      | 2251 55       | Extension for reply within first month                                     |          |
| 1252 420      | 2252 210      | Extension for reply within second month                                    |          |
| 1253 950      | 2253 475      | Extension for reply within third month                                     |          |
| 1254 1,480    | 2254 740      | Extension for reply within fourth month                                    |          |
| 1255 2,010    | 2255 1,005    | Extension for reply within fifth month                                     |          |
| 1401 330      | 2401 165      | Notice of Appeal   |          |
| 1402 330      | 2402 165      | Filing a brief in support of an appeal                                     |          |
| 1403 290      | 2403 145      | Request for oral hearing   |          |
| 1451 1,510    | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110      | 2452 55       | Petition to revive - unavoidable   |          |
| 1453 1,330    | 2453 665      | Petition to revive - unintentional   |          |
| 1501 1,330    | 2501 665      | Utility issue fee (or reissue)   |          |
| 1502 480      | 2502 240      | Design issue fee   |          |
| 1503 640      | 2503 320      | Plant issue fee  |          |
| 1460 130      | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50       | 1807 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180      | 1806 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40       | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 770      | 2809 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770      | 2810 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770      | 2801 385      | Request for Continued Examination (RCE)                                    |          |
| 1802 900      | 1802 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 0**SUBMITTED BY**

(Complete if applicable)

|                   |   |                                   |               |           |              |
|-------------------|---|-----------------------------------|---------------|-----------|--------------|
| Name (Print/Type) | Frank V. DeRosa   | Registration No. (Attorney/Agent) | 43,584        | Telephone | 516-357-0091 |
| Signature         |  | Date                              | Dec. 12, 2003 |           |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Commissioner for Patents  
Alexandria, VA 22313-1450  
Sir:

Attorney Docket: YOR920030486US1 (8728-660)  
Date: December 12, 2003

Transmitted herewith for filing is the patent application of:

Inventor(s): Juan M. HUERTA; David LUBENSKY; and Chaitanya EKANDHAM  
For: SYSTEMS AND METHODS FOR GENERATING APPLICATIONS THAT ARE  
AUTOMATICALLY OPTIMIZED FOR NETWORK PERFORMANCE

Enclosed are: ☒ 37 page(s) of specification; ☒ 1 page(s) of Abstract; ☒ 9 Page(s) of Claims;  
☒ 5 Sheets of drawings

- ☐ Declaration and Power of Attorney  
☐ An Assignment of the invention to **International Business Machines Corporation, Armonk, New York, 10504**, with PTO Form 1595.  
☐ Information Disclosure Statement, cited references and PTO Form 1449  
☒ Associate Power of Attorney

**CALCULATION OF UTILITY APPLICATION FEE**

| For  | Number Filed | Number Extra | Rate   | Basic Fee<br>\$770.00   |
|--|--------------|--------------|--------|-------------------------|
| TOTAL CLAIMS                                 | 40           | 20           | x 18 = | \$360.00                |
| INDEPENDENT CLAIMS                           | 4            | 1            | x 86 = | \$86.00                 |
| <input type="checkbox"/> Multiple Dep. Claim |              |              | 290    | \$0                     |
|  |              |              |        | <b>TOTAL \$1,216.00</b> |

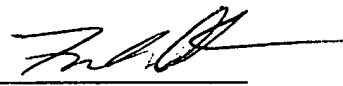
☒ Charge the amount of \$ 1,216.00 to Deposit Account No. 50-0510/IBM (Yorktown Heights).

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510/IBM (Yorktown Heights).  
A duplicate copy of this sheet is enclosed.

- ☒ Any additional filing fees required under 37 C.F.R. §1.16.  
☒ Any patent application processing fees under 37 C.F.R. §1.17.

Date: December 12, 2003

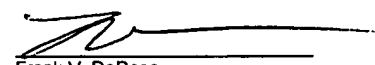
**Address all Correspondence to:**  
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Tel. No. (516) 357-0091  
Fax. (516) 357-0092

  
Frank V. DeRosa  
Reg. No. 43,584

Attorney for:  
IBM Corporation  
Intellectual Property Department  
P.O. Box 218  
Yorktown Heights, NY 10598

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date December 12, 2003, in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV413369461US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Frank V. DeRosa

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT(S):** Chaitanya Ekandham  
**SERIAL NO.:** Not Yet Assigned  
**FILING DATE:** Concurrently Herewith  
**FOR:** SYSTEMS AND METHODS FOR GENERATING  
APPLICATIONS THAT ARE AUTOMATICALLY OPTIMIZED  
FOR NETWORK PERFORMANCE

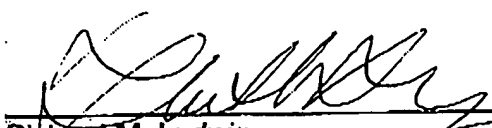
**ASSOCIATE POWER OF ATTORNEY**

Please recognize **FRANK CHAU**, Reg. No. 34,136; **FRANK V. DeROSA**, Reg. No. 43,584; **NATHANIEL T. WALLACE**, Reg. No. 48,909; **ERIC M. PARHAM**, Reg. No. 45,747; **THOMAS W. McNALLY**, Reg. No. 48,609; **MICHAEL F. MORANO**, Reg. No. 44,952; **KOON H. WONG**, Reg. No. 48,459; **BENJAMIN M. HALPERN**, Reg. No. 46,494; and **RICHARD D. RATCHFORD, JR.** Reg. No. 53,865; each of them of **F. CHAU & ASSOCIATES, LLP**, 1900 Hempstead Turnpike, Suite 501, East Meadow, New York 11554 as associate attorneys in the above-mentioned application, with full power to prosecute said application, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office connected therewith.

Telephone calls should be made to Frank Chau by dialing (516) 357-0091.

**All written communications are to be sent to Frank Chau, Esq.,  
F. Chau & Associates, LLP, 1900 Hempstead Turnpike, Suite 501, East Meadow,  
New York 11554.**

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Thu Ann Dang  
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